

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

In the Official Action, Claims 1, 4, 5, 7 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gessel (U.S. Patent No. 5,396,351), in view of Ando et al. (U.S. Patent No. 6,356,330, hereinafter Ando); Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gessel and Ando in view of Mizobata et al. (U.S. Patent No. 6,473,140, hereinafter Mizobata); Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gessel and Ando in view of Yamauchi et al. (U.S. Patent No. 6,512,504, hereinafter Yamauchi); and Claim 3 was indicated as containing allowable subject matter.

Applicants acknowledge with appreciation the indication of allowable subject matter.

Claim 1 is amended to recite the features of canceled Claim 2. Claim 3 is amended from dependent into independent form. Claim 20 is amended to recite features from canceled Claim 2. New Claim 47 recites features from Claim 20 and allowable Claim 3. New Claims 48-51 correspond to original Claims 4, 5, 7 and 8 albeit dependent from allowable Claim 3. No new matter is added.

In view of the indication of allowable subject matter relative to Claim 3, Applicants submit that now independent Claim 3 as well as new independent Claim 47, and all claims depending therefrom, are in condition for allowance.

In view of Applicants' amendments to the pending claims, the rejections in view of Gessel and Ando, and the rejections of Gessel, Ando and Yamauchi are moot.

At issue is the allowability of features previously recited in Claim 2, now recited in amended Claims 1 and 20, relative to Gessel, Ando and Mizobata.

Briefly recapitulating, amended Claim 1 is directed to a display apparatus that includes an optical material between a pair of substrates, a plurality of display pixel sections,

and a spacer disposed between the pair of substrates, the spacer being fixed on at least one of the substrates. Each of the substrates has a glass substrate and a film that is attached to an outer surface of the glass substrate and has a thickness greater than a thickness of the glass substrate. At least one of the films is formed of a polarizer plate. Each of the glass substrate is formed to have a thickness that permits bending of the display apparatus. *The thickness of each of the glass substrates is 0.15 mm or less.* Claim 20 is directed to an alternative embodiment of Applicants' invention, also reciting a *thickness of each of the glass substrates is 0.15 mm or less.*

Ando describes an active matrix liquid crystal display device with an opposing electrode 107 arranged above a signal wire 104 in a thin film transistor through an insulating layer. The opposing electrode 107 and scanning wire 101 shield the signal wire 104 or the TFT to prevent light from leaking from edge portions of the signal wire 104 as well as the TFT.<sup>1</sup>

Gessel describes a polarizing fiber optic layer for use within a liquid crystal multilayer structure. The device includes a specially designed thin polarizing fiber optic layer which function both as a polarizer of light in a specific direction and as a fiber optic material for optically resolving an image to its surface from a position optically below the fiber optic material layer. Using this double functioning material, the problems of off access viewing, contrast and color distortion, and parallax can be solved in flat panel displays.<sup>2</sup>

Mizobata describes a GH-mode liquid crystal of which change and transmissivity due to a variation in gap thickness is less than that of conventional TN liquid crystal. A tablet facility is directly arranged or electrodes having the function of the tablet are formed over or below the liquid crystal. This eliminates the need for a protection plate.<sup>3</sup>

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<sup>1</sup> Ando, Abstract.

<sup>2</sup> Gessel, Abstract.

<sup>3</sup> Mizobata, Abstract.

Paragraph 3 of the Official Action cites to column 2, lines 30-31 of Mizobata as disclosing a device wherein each of the glass substrates are 0.15 mm or less. Applicants traverse this characterization of Mizobata. Column 2, lines 30-31 of Mizobata disclose that a *film substrate* is 0.1 mm but does not disclose that the *glass substrate* is 0.15 mm or less. Instead, column 2, lines 17-22 of Mizobata describes “a glass substrate having a thickness of about 0.6 mm to about 1.1 mm is used for each of the substrate, it is difficult to further reduce the thickness thereof.” The film and glass substrates of Mizobata are different components of the LCD structure described therein.

MPEP §706.02(j) notes that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Also, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Without addressing the first two prongs of the test of obviousness, Applicants submit that the Official Action does not present a *prima facie* case of obviousness because Gessel, Ando and Mizobata each fail to disclose all the features of Applicants’ claimed invention.

Accordingly, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

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